

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO et al.,

Debtors.¹

PROMESA
Title III

Case No. 17-BK-3283-LTS

(Jointly Administered)

RE: Docket Entry No. 12856

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT
BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO PUBLIC BUILDINGS AUTHORITY,

Debtor.

PROMESA
Title III

Case No. 19-BK-5523-LTS

(Jointly Administered)

RE: Docket Entry No. 73

ORDER GRANTING MOTION OF THE PUERTO RICO PUBLIC BUILDINGS AUTHORITY
FOR ENTRY OF ORDER EXTENDING TIME TO ASSUME OR REJECT UNEXPIRED LEASES OF
NONRESIDENTIAL REAL PROPERTY PURSUANT TO BANKRUPTCY CODE SECTION 365(D)(4)

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations.).

Upon the *Motion of Puerto Rico Public Buildings Authority for Entry of Order Extending Time to Assume or Reject Unexpired Leases of Nonresidential Real Property Pursuant to Bankruptcy Code Section 365(d)(4)* (Docket Entry No. 12856 in Case No. 17-3283 and Docket Entry No. 73 in Case No. 19-5523, the “Motion”);² and the Court having found it has subject matter jurisdiction over this matter pursuant to PROMESA section 306(a); and it appearing that venue is proper pursuant to PROMESA section 307(a); and the Court having found that the relief requested in the Motion is in the best interests of PBA, its creditors, and other parties in interest, it is HEREBY ORDERED THAT:

1. The Motion is granted as set forth herein.
2. The deadline of the time for PBA to assume or reject any of the Real Property Leases is extended to the earlier of (i) January 1, 2021, (ii) the date of expiration or termination of such leases pursuant to their own terms, and (iii) the date on which a plan of adjustment is confirmed for PBA, without prejudice to (x) PBA’s right to seek further extensions as contemplated by Bankruptcy Code section 365(d)(4)(B)(ii) or (y) the right of any party in interest to object to such requested extensions.
3. PBA may file a list of such Real Property Leases in accordance with the presentment procedures set forth in the *Eleventh Amended Notice, Case Management and Administrative Procedures* (Docket No. 11885-1 in Case No. 17-3283) listing landlords who

² Capitalized terms used but not otherwise defined herein have the meanings given to them in the Motion.

have consented to an extension of PBA's deadline to assume or reject Real Property Leases under Bankruptcy Code section 365(d)(4).

4. Nothing in the Motion or this Order shall be deemed or construed as (a) an assumption or rejection of any agreement, contract, or lease pursuant to Bankruptcy Code section 365, or (b) an admission with respect to whether any of PBA's contracts or leases is an unexpired lease of nonresidential real property within the meaning of Bankruptcy Code section 365(d). The relief granted by this Order shall not affect PBA's rights to assume or reject any Real Property Leases.

5. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this order.

6. This Order resolves Docket Entry No. 12856 in Case No. 17-3283 and Docket Entry No. 73 in Case No. 19-5523.

SO ORDERED.

Dated: May 28, 2020

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge